

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

DUANE LANDRY

CIVIL ACTION NO.:

VERSUS

JUDGE

**ABC INSURANCE COMPANY
and FIELDWOOD ENERGY, LLC**

MAGISTRATE JUDGE

COMPLAINT

NOW INTO COURT, through undersigned counsel, comes petitioner DUANE LANDRY, a resident of the full age of majority of the Parish of Evangeline, State of Louisiana, who with respect represents:

1.

Made defendants herein are:

- A. ABC INSURANCE COMPANY, a fictitious name of an insurer licensed to do and doing business within the State of Louisiana which at all times relevant herein provided coverage for the fault of FIELDWOOD ENERGY, LLC alleged herein and is therefore liable to petitioner for damages caused to its insured(s); and,
- B. FIELDWOOD ENERGY, LLC (and its employees), a Delaware corporation licensed to do and doing business in Louisiana and on the Outer Continental Shelf, whose principal place of business and domicile is in Houston, Texas, and who at all times pertinent hereto owned and was responsible for the premises at its platform, Ship Shoal 178, where this injury occurred.

2.

On or about September 16, 2019, petitioner, DUANE LANDRY, was acting in the course and scope of his employment on a FIELDWOOD ENERGY, LLC owned platform designated as Ship Shoal 178 and located on the Outer Continental Shelf of the United States in the Gulf of Mexico adjacent to the State of Louisiana.

3.

On or about September 16, 2019, petitioner, Duane Landry, was severely injured after slipping and falling on a defective staircase on the Ship Shoal 178 platform.

4.

The above described fall resulted from the fault and/or negligence of defendant, FIELDWOOD ENERGY, LLC, and its employees, in the following non-exclusive particulars:

- A. In creating an unsafe condition on its platform Ship Shoal 178;
- B. In failing to mark an unsafe condition;
- C. In failing to guard an unsafe condition;
- D. In failing to give notice of an unsafe condition;
- E. In failing to correct and/or clean up a known unsafe condition;
- F. In improperly and negligently removing the traction surface of the platform staircase and failing to replace it;
- G. In instructing that work be performed in an unsafe fashion;
- H. In failing to provide proper equipment to facilitate the work in progress;
- I. In otherwise having an unsafe platform staircase and failing to repair said unsafe condition.

5.

As a result of the above, petitioner DUANE LANDRY sustained serious and painful injuries that have caused physical and mental suffering, both past and future, loss of enjoyment of life, both past and future, past and future disability, loss of earning capacity, both past and future, and that has required him to incur medical expenses, both past and future, all of which entitles him to recover a sum reasonable in the premises.

6.

Alternatively, claimant asserts all claims for damages and allegations of negligence listed above under Louisiana state law, 33 U.S.C. §905(b) et seq and any other applicable state or federal law, including general maritime law.

WHEREFORE, petitioner, DUANE LANDRY, prays that a certified copy of this complaint be served upon defendants, ABC INSURANCE COMPANY and FIELDWOOD ENERGY, LLC, and that after due proceedings are had there be judgment herein in favor of petitioner, DUANE LANDRY, and against defendants, ABC INSURANCE COMPANY and FIELDWOOD ENERGY, LLC, jointly, severally, and in solido in a sum reasonable in the premises together with legal interest from the date of judicial demand until paid and for all costs of these proceedings.

Respectfully submitted,

BROUSSARD & DAVID, LLC

/s/ Jerome H. Moroux

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PLEASE SERVE:

FIELDWOOD ENERGY, LLC

Through Registered Agent for Service of Process:

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